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Jury awards \$15M after Indiana cancer patient's misread CT scan

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A federal jury Friday awarded \$15 million in damages on behalf of a woman who claimed a Carmel imaging center failed to identify a tumor that went untreated and undetected for nearly 18 months, severely reducing her chances of surviving cancer.

The jury [returned its verdict Friday](#) after a four-day trial, awarding \$14 million to Courtney Webster and \$1 million to her husband, Brian Webster. The jury found Center for Diagnostic Imaging, Inc., doing business as CDI Indianapolis and CDI Indiana, was responsible for the conduct of a doctor who failed to identify a tumor after Courtney underwent a CT scan in November 2014.

The [Websters sued](#) Minnesota-based CDI in October 2016, claiming that the tumor went undiagnosed until May 2016 and CDI was negligent.

“As a direct and proximate result of CDI and CDI Indiana’s substandard care, Courtney Webster’s rectal cancer grew and spread, significantly reducing her chances of surviving the disease, significantly altering her treatment options, and causing her severe pain, suffering and emotional distress,” the complaint alleged.

CDI denied responsibility in the case and asserted that the corporation did not operate the center and was not a medical provider. The company [argued in response to the suit](#) that it “provided certain management services to an Indiana professional corporation that provided diagnostic imaging services” at its location at 11900 N. Pennsylvania St.

Because of its stance in the case, CDI was not subject to caps on damages that typically would be in place when medical providers opt in to coverage under the Indiana Medical Malpractice Act. Had CDI been covered by the act, Webster’s recoverable malpractice damages would have been capped at \$1.25 million.

Attorneys for the Websters and for CDI did not immediately respond to requests for comment Tuesday. The Websters are represented by plaintiff attorneys Jerry Garau and Kathleen DeLaney. CDI entities are represented by attorneys from Bleeke Dillon Crandall, P.C., and Katz Korin Cunningham.

“This is a very difficult case that involves a number of complicated issues,” a CDI spokesman said in a statement Tuesday afternoon. “We’re clearly very disappointed in the verdict, and we’re strongly considering all options including appeal. As a result, we are not in a position to discuss the case further at this time.”

The case before Chief Judge Jane Magnus Stinson in the U.S. District Court for the Southern District of Indiana is *Webster, et al. v. Center for Diagnostic Imaging, Inc., et al.*, 1:16-cv-02677.